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**ATTORNEY AT LAW**

JC986 U.S. PTO  
 09/960223  
  
 09/20/01

## BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Application of Todd Barrett for "METHOD FOR PROVIDING  
VARIABLE OPTICAL ATTENUATION"  
Our Ref: 1092-PA428

Dear Sir:

This is a request for a Continuation in Part Application of pending prior Application No. 09/846,879 filed 4/30/2001, entitled "OPTICAL CROSS CONNECT SWITCH."

This application is being filed under 37 C.F.R. § 1.53(b). Enclosed are fifty-eight (58) pages of the specification, including the claims, and twelve (12) sheets of drawings.

The Government filing fee is calculated as follows:

Total claims	<u>37</u> - 20 = <u>17</u> x \$9 = \$ 153.00*
Independent claims	<u>4</u> - 3 = <u>1</u> x \$40 = \$ 40.00*
Base Fee	\$ 355.00*

<b>TOTAL FILING FEE</b>	<b>\$ 548.00*</b>
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A check for the statutory fee of \$548.00 is NOT attached.

**\*Small Entity Statement:** The undersigned, as attorney of record on behalf of Applicant, hereby verifies that Applicant qualifies as a small entity pursuant to 37

**SECRET**

\_\_\_\_\_  
 Russ East

Registration No. 41,005

**Certification under 37 CFR 1.10**

EK275593254US

"Express Mail" mailing number


September 20, 2001

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

GARY L. EASTMAN, ESQ.

Name of person mailing application

  
\_\_\_\_\_  
Signature of person mailing application

Date September 20, 2001

Docket Number: 1092-PA428

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